

Remarks

Claims 1-3, 5-11 and 14-20 are pending, and claims 1-3, 5-11 and 14-20 stand rejected. The Applicants respectfully traverse the rejection and request allowance of claims 1-3, 5-11 and 14-20.

§ 103 Claim Rejections

The Examiner rejected claims 1-3, 5, 10, 11, 14, 15, and 20 under 35 U.S.C. § 103 in view of U.S. Patent number 6,018,515 (Sorber) in further view of U.S. Patent number 6,018,515 (Gorsuch). The Applicants submit that claims 1-3, 5, 10, 11, 14, 15, and 20 are non-obvious over the combination of Sorber and Gorsuch in light of the following remarks.

Independent claim 1 claims a memory controller having the limitation of: *"if occupancy on a first transmit buffer corresponding with a first transmit channel exceeds a threshold, then prioritize the transmit channels to transmit packets from the first transmit buffer corresponding with the first transmit channel"*. The Applicants submit that Sorber does not teach a memory controller as claimed in claim 1, and the Examiner agreed with the Applicants in the Office action. See Office action, page 3.

To reject the memory controller of claim 1, the Examiner relied on the teaching in Gorsuch. In Gorsuch, a base station (104) includes a plurality of buffers for buffering data to be transmitted over a plurality of wireless channels. See Gorsuch, FIG. 3, column 6, lines 44-56. A buffer and a set of resources are assigned to each of the traditional wireless channels. Each wireless channel provides the same bandwidth under normal operation. The base station further includes a channel resource assignor (209) that monitors a threshold level of the buffers, along with other information to compute an urgency factor. See Gorsuch, FIG. 3, column 8, lines 36-44. Based on the urgency factor, the channel resource assignor changes the resources assigned to the wireless channels to alter the bandwidth of the wireless channels. See Gorsuch, column 10, lines 9-21. For instance, if a first buffer for a first channel has a high urgency factor and a second buffer for a second channel has a low urgency factor, then the channel resource assignor moves some of the resources from the second channel to the first channel in order to increase the bandwidth of the first channel and decrease the bandwidth of the second channel. See Gorsuch, column 10, lines 9-21.

Gorsuch does not teach a memory controller that "prioritize[s] the transmit channels to transmit packets from the first transmit buffer corresponding with the first transmit channel" if the occupancy on a first transmit buffer corresponding with a first transmit channel exceeds a threshold as described in claim 1 of the pending application. The channel resource assignor in Gorsuch does not **prioritize** the channels in Gorsuch. If a buffer in Gorsuch becomes full, as indicated by its urgency factor, then the channel resource assignor does not **prioritize** the channels (i.e., the existing channels). Rather, the channel resource assignor changes the existing channels by allocating more resources to certain channels having higher urgency factors. Allocating more resources to certain channels does increase the bandwidth of those channels, but does not give priority to those channels. The other channels still have equal opportunity to transmit data over the air interface, they just may be transmitting the data over a smaller bandwidth.

Further, it does not make sense for Gorsuch to prioritize channels. The channel resource assignor in Gorsuch does not need to prioritize the channels as the channels are not fighting for space on a single transport medium. The wireless channels in Gorsuch each have a traditional wireless bandwidth, and each of the wireless channels are able to transport data concurrently over the air interface. Therefore, there is no advantage in prioritizing the channels because each channel has an equal opportunity to transmit data over the air interface. As previously stated, the bandwidth of the channels may vary, but the channels are not prioritized.

Based on the above remarks, the Applicants submit that claim 1 is non-obvious over the combination of Sorber and Gorsuch. The same arguments apply for claims 2-3, 5, 10, 11, 14, 15, and 20.

§ 103 Claim Rejections

The Examiner rejected claims 6-9 and 16-19 under 35 U.S.C. § 103 in view of Sorber, Gorsuch, and U.S. Patent number 5,007,051 (Dolkas). The Applicants submit that claims 6-9 and 16-19 are non-obvious for the reasons provided above.

Conclusion

Based on the above remarks, the Applicants submit that claims 1-3, 5-11 and 14-20 are allowable. There may be additional reasons in support of patentability, but such reasons are

omitted in the interests of brevity. The Applicants respectfully request allowance of claims 1-3, 5-11 and 14-20.

Any fees may be charged to deposit account 502622.

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